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TRANSMITTAL FORM JUL 11 2006 PATENT & TRADEMARK OFFICE	Application Number	09/993,906	
	Filing Date	November 27, 2001	
	First Named Inventor	Jax B. Cowden	
	Art Unit	2151	
	Examiner Name	Divecha, Kamal B	
Total Number of Pages in This Submission	2	Attorney Docket Number	10005.000120

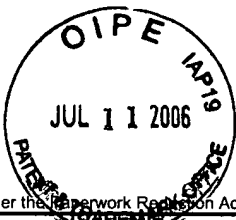
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm	Okamoto & Benedicto LLP		
Signature	<i>Patrick D. Benedicto</i>		
Printed Name	Patrick D. Benedicto		
Date	July 6, 2006	Reg. No.	40,909

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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Docket Number (Optional)
10005.000120

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Signature Patrick D. Benedicto

Typed or printed name Patrick D. Benedicto

In re Application of
Jax B. Cowden, et al.

Application Number
09/993,906

Filed
November 27, 2001

For Method and Apparatus for Distributing a Computer Program

Art Unit
2151

Examiner
Divecha, Kamal B.

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))

\$ 500

Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:

\$ 250

A check in the amount of the fee is enclosed.

Payment by credit card. Form PTO-2038 is attached.

The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 50-2427. I have enclosed a duplicate copy of this sheet.

A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

applicant/inventor.

assignee of record of the entire interest.

See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

attorney or agent of record.

Registration number 40,909.

attorney or agent acting under 37 CFR 1.34.

Registration number if acting under 37 CFR 1.34. _____

Patrick Benedicto

Signature

Patrick D. Benedicto

Typed or printed name

(408) 436-2110

Telephone number

July 6, 2006

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

07/12/2006 YPOLITE1 00000004 09993906

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